BCD LAND & LIVESTOCK GAME FARM
DECISION DOCUMENT

October 14, 1997

Game Farm Application and MEPA Review:

The Montana Fish, Wildlife and Parks (FWP) received an application for a game farm license from Brian, Craig and David Tutvedt on May 23, 1997. On June 23, 1997 FWP accepted the original application by letter which initiated a 120 day review and decision period per laws governing game farms.

The applicants propose raising domestic elk for breeding stock, antler production and other uses in accordance with Montana game farm statutes and administrative rules. Initially, approximately 20 elk would be placed within 2 enclosures totalling 38 acres, with the herd allowed to potentially increase to 200 elk. The area is open pastureland currently used for grazing domestic cattle. Most of the area is level bottomland, with approximately 1/4 of the area a moderately sloping hillside. The proposed project is located approximately 7 miles northwest of Kalispell, Montana.

FWP contracted Maxim Technologies, Inc. (Helena) to assist in the preparation of a draft Environmental Analysis (EA). Together, we completed a draft EA pursuant to the Montana Environmental Policy Act (MEPA) and game farm statutes. This document was distributed for public review on September 4, 1997. During the completion of the EA, it was determined that a full Environmental Impact Statement would not be required. No significant impacts from the proposed action were identified that could not be mitigated. A copy of the Final EA is attached.

FWP received 2 written responses to the EA. Issues raised include potential threat to wetlands, risk of disease to wild populations, threats posed by hybridization, and threats posed by the commercialization of wildlife. The Department carefully considered the issues raised and printed a response to each in the Final EA.

Proposed Decision:

Based upon our review of the EA, the game farm license application file and the information noted below, FWP has determined that a license to operate the game farm in question will be issued. The issuance of this license is contingent upon approval of fence construction, Department of Livestock approval of quarantine and

Flathead

handling facilities, and the Licensees' adherence to the stipulation listed below. The Licensees will have 2 years from the date of this approval to complete fence construction as submitted in their application. Changes from the application must be approved by FWP prior to implementation of modifications.

The Licensees must be in compliance with all game farm statutes, rules and regulations of Montana Fish, Wildlife and Parks and Department of Livestock. Current regulations are attached for the applicants' information, but it is the licensees' responsibility to keep up with any changes in the laws or regulations. The Licensees must also comply with the stipulations listed below.

With most game farms, there is a concern of disease transmission to wild populations and also genetic `pollution', should wild and captive animals interbreed. Wild animals such as native elk, black bears, mountain lions and coyotes can be attracted to game farms due to the availability of food and potential breeding opportunities. Responsible management and adherence to FWP stipulations and regulations should reduce the risk of contact between wild game and game farm animals to an acceptable level. The regulatory requirements for fencing and disease control should be sufficient for this purpose. The EA recommends additional measures which would assist in that effort.

The proposed game farm will exclude wildlife from using 38 acres of habitat that receives limited use by white-tailed deer. Given the small size of the area and the type of habitat being affected, this impact was not considered significant. No noticeable impacts on wildlife movement or migration through the area are expected.

Any potential impacts on water quality not addresses herein can be mitigated by the applicants' compliance with the state's water quality standards and requirements. Point source discharges, which include operations qualifying as concentrated animal feeding operations, are regulated under Title 75, Chapter 5, Part 6 MCA, and ARM 16.20.1301, et.seq. and may require permits, especially if animal numbers result in significant loss of vegetation. Nonpoint source discharges are regulated under the prohibitions against the pollution and nondegradation of state waters (Title 75, Chapter 5, Parts 3 and 6, MCA and ARM 16.20.701 et. seq.). Nonpoint sources of pollution are considered non-significant sources of degradation where reasonable land, soil and water conservation practices are applied and existing and anticipated beneficial uses will be fully protected (ARM 16.20.713). The Department of Environmental Quality has the authority to determine whether an activity satisfies these standards (ARM 16.20.709).

The accumulation of packed snow, windthrow, and other factors increase the risk of ingress and egress associated with nearly all game farms. The risks of disease

transmission and genetic pollution due to ingress and egress are genuine issues. FWP will require the immediate notification of the ingress or egress of any game animal or predator of game animals (including coyotes) in order to assess the adequacy of fencing requirements for this location. This should help to address problems early and may result in modifications to fence design.

The Department has the duty under the Montana Environmental Policy Act to conduct an additional environmental review if the action approved by the agency changes, subsequent to the agency's original approval, in a manner which has impacts substantially different from those which were reviewed in the original MEPA review (Ravalli County Fish and Game Association v. Montana Department of State Lands, 273 Mont. 371, 903 P.2d 1362 (1995)). For that reason, the Department provides notice that the MEPA review performed for the instant license application reviewed the impacts of a game farm with up to 200 elk. To the extent that the applicants hereafter increase the number of species of animals or make other significant changes to the operation, a supplemental MEPA review may be conducted.

License Stipulation:

1. Licensees must report to FWP the ingress of any game animal or any predators of ungulates (e.g., mountain lion, black bear, grizzly bear, wolf or coyote) immediately upon the discovery, and the reason for such ingress.

Recommended Mitigation Measures:

The following recommendations address minor impacts identified in the EA that are likely to result from the Proposed Action:

- Use coated steel or wood fence posts, coated bottom wire, and sulfate-resistant concrete when constructing perimeter fence structures.

- Maintain a reasonable stocking rate in the proposed game farm enclosure. A "reasonable stocking rate" is defined as the density of animals appropriate to maintain vegetative cover in pasture conditions that minimizes soil erosion from major precipitation events and snowmelt.

- Minimize stock traffic in saturated soil areas during the spring when groundwater and surface water are highest. Other water quality impacts could

be minimized by moving dead animals and excess fecal material to an approved site that is more isolated from surface water and groundwater.

- Control surface water runoff discharges to the nearby pond by employing best management practices (BMP's) along the fenceline where surface water runoff could directly enter the pond and associated drainage. The BMP's may include earth berms, straw bale dikes, vegetative buffer zones, and/or silt fences.

- Exclude all of the spring/seep area in the northwest corner of the west pasture from the proposed game farm enclosure.

- Establish a rest-rotation grazing system within the 38 acre game farm area as elk numbers increase to optimize vegetative productivity and minimize soil and vegetative degradation.

- Feed only hay produced on site or certified weed-seed-free hay or pellets.

- Maintain vegetative productivity by farming portions of the pasture over time.

- Store hay, feed and salt away from exterior fences or enclose in appropriate containers or buildings.

- Feed game farm animals at interior portions of the enclosure and not along the perimeter fence.

- Carcasses of animals buried on the game farm should be covered with a minimum of 2' of soil. They may also be sent to a licensed municipal landfill if approved by the landfill operator.

- Inspect the exterior game farm fence on a regular basis and immediately after events likely to damage the fence to ensure its integrity with respect to trees, frost-heaving, corrosion, burrowing animals, predators, and other game animals.

- If fence integrity or ingress/egress becomes a problem, adjust fence as necessary, including double fencing, increased post support, replacing damaged posts, or raising fence height.

- During winters of exceptional snow cover or drifting, remove snow on either side of the enclosure fence to prevent ingress/egress.

- Risk of disease epidemic or heavy parasite infections among domestic elk can be minimized by maintaining a reasonable domestic elk stocking rate in relation to the enclosure size, and management of manure in accordance with Montana Department of Environmental Quality guidance (DEQ 1996; Guide to Animal Waste Management and Water Quality Protection in Montana).

- Stop work in the area of any observed archaeological artifact. Report discovery of historical objects to the Montana Historical Society; Historic Preservation Office (406) 444- 7715. If work stoppage in the area containing observed artifacts is not possible, record the location and position of each object, take pictures and preserve the artifact(s).

Harry E Jr acting for — 10/21/97

Daniel P. Vincent — Date
Regional Supervisor

Please combine all signatures on a single document and return the original to FWP to indicate your concurrence with the license stipulations listed above. A copy of the signed decision will be provided to each you for your records.

Mail to: Noemi Barta, MFWP Region One, 490 North Meridian Rd., Kalispell, MT 59901

_____ _____

Brian Tutvedt — Date

_____ _____

Craig Tutvedt — Date

_____ _____

David Tutvedt — Date

FINAL

ENVIRONMENTAL ASSESSMENT

BCD LAND & LIVESTOCK GAME FARM
NEAR KALISPELL, MONTANA

Montana Department of Fish, Wildlife and Parks
Region One
490 N. Meridian
Kalispell, Montana 59901

BCD LAND & LIVESTOCK GAME FARM APPLICATION
FINAL ENVIRONMENTAL ASSESSMENT

MONTANA ENVIRONMENTAL POLICY ACT (MEPA) PROCESS

The Montana Department of Fish, Wildlife and Parks (FWP) is required to perform an environmental analysis in accordance with MEPA for "each proposal for projects, programs, legislation, and other major actions of state government significantly affecting the quality of the human environment" [Administrative Rules of Montana (ARM) 12.2.430]. FWP prepares environmental assessments (EA) to determine whether a project would have a significant effect on the environment. If FWP determines that a project would have a significant impact that could not be mitigated to a minor impact, the agency will prepare a more detailed environmental impact statement (EIS) before making a decision. If the agency determines that a proposed project would not have a significant impact, or that the impact could be mitigated to minor or none, the agency may make its licensing decision based upon the results of the EA and criteria established under Montana game farm statute Montana Code Annotated (MCA) Title 87, Chapter 4, Part 4.

Mitigation measures may be considered in FWP's analysis as a means to reduce the impact(s) of a game farm to a level below significance. FWP may also recommend mitigation measures to reduce impacts that are considered minor.

The FWP prepared a Draft EA for the proposed BCD Land & Livestock (BCD) game farm which identified no significant impacts from the Proposed Action that could not be mitigated. The Draft EA was released for public review and comment September 4, 1997. Public comments were accepted through September 25, 1997. The Draft EA, as modified herein, is hereby approved as the Final EA. This Final EA for the proposed BCD game farm contains a summary of the Proposed Action, a description of the affected environment, and potential consequences of the Proposed Action, all of which are described in additional detail in the Draft EA which is adopted in this Final EA. This document also includes required mitigation measures, a summary of public comments with FWP's responses, the conclusion of the EA, and an analysis of the impact of imposed stipulations on private property.

PROPOSED GAME FARM APPLICATION

The FWP received an application for a new game farm license from BCD Land & Livestock (Brian, Craig, and David Tutvedt) on May 23, 1997. On June 23, 1997, FWP accepted the application as complete which initiated a 120-day review and decision period.

The proposed game farm is located approximately 7 miles northwest of Kalispell, Montana in Flathead County. The Proposed Action consists of developing a new 38-acre elk game farm in an agricultural area of the Flathead Valley. The game farm area would contain separate quarantine and handling facilities between two of the game farm enclosures. As of September 22, 1997, no plans and specifications for the quarantine and handling facilities had been submitted to the DoL for review.

The Proposed Action includes initially placing 20 elk in the game farm with the option to increase the total to 200 elk in the 38-acre area. The applicant would breed, sell, and dispose of domestic elk in accordance with Montana game farm and disease control requirements stipulated in Montana statute and administrative rules. Fence construction would require a waiver from FWP because the design does not follow current rules in ARM 12.6.1503A; however, the proposed fence appears to meet waiver requirements.

AFFECTED ENVIRONMENT

The proposed 38-acre BCD game farm site is located at an elevation of about 3,000 feet in the Stillwater River drainage between the towns of Kalispell and Whitefish. The river is located approximately three-quarters mile east and north of the proposed game farm enclosure. Approximately three-quarters of the proposed game farm site is situated on level bottomland; the remaining western one-quarter of the site is a moderately sloping hillside. General topography of the area is dominated by glacial features and subsequent alluvial features produced as the ice melted and retreated. The glacial features include the Lost Creek outwash fan, kettle holes, swales, and hummocky topography characteristic of ground moraine. Soils are primarily sand and silt loams with some clay. Principal land use of the proposed game farm area and vicinity is livestock grazing and irrigated cropland.

A former channel of the Stillwater River located about one-quarter mile east of the game farm site contains water year-round from springs and seeps in the general area. A spring/seep area and associated pond are located between two of the proposed game farm pastures; water from this pond drains to the former river channel and the Stillwater River. No wetland/riparian areas appear to be located within the proposed game farm enclosures. Stock water would be supplied to the domestic elk from an existing well located near the game farm site.

The 38 acres within the proposed BCD game farm has been seeded to introduced pasture grasses and forbs. Existing fields are presently hand-line irrigated and grazed. Fields have not been farmed in over 10 years, and Canada thistle infests portions of the fields. The spring/seep area near the northeast corner of the proposed west pasture and the existing pond supports wetland vegetation species.

The proposed game farm area is located near white-tailed deer winter range; the game farm site is not considered important winter range. The Kuhns Wildlife Management Area located ½ mile to the northwest and the Stillwater River located about ¾ mile to the north and east are important deer winter range. The general area of agricultural land surrounding the game farm site is used by white-tailed deer during other seasons as well. Elk winter range is located approximately 1½ miles northwest of the proposed game farm. This elk winter range includes the Kuhns Wildlife Management Area along the Stillwater River. Mule deer also use the western portion of this winter range. Mountain lions and black bear are reported to occur on the winter range area, but wolves and grizzly bears are not reported to use this area. Bald eagles winter along the Stillwater River.

CONSEQUENCES OF THE PROPOSED ACTION

Impacts to Land Resources

Environmental impacts to land and soil resources associated with raising 20 to 200 elk on 38 acres are directly related to the stocking rate. Most of the property is on gentle to level slopes where wind erodibility is more of a concern than water erosion. Water erosion could occur on the hillside in the western portion of the proposed game farm. Magnitude of erosion will be greatest on disturbed areas where vegetative cover is significantly reduced due to excessive grazing by domestic elk.

Impacts to Air Quality

The impact of the proposed game farm on air quality would be minimal to none. Odor problems may result if waste management practices are not sufficient in areas where elk concentrate to feed.

Impacts to Water Resources

Nutrient-enriched water from elk fecal matter, and sediment from elk traffic erosion may enter surface water features in the area during major precipitation events and snowmelt. Ponds located along the drainage to the Stillwater River would significantly reduce sediment from entering the river. Shallow groundwater in portions of the valley bottom also could be affected by the nutrient-enriched water. Most private wells in the sparsely populated surrounding areas are greater than 200 feet deep.

Impacts to Vegetation

The intensity of grazing up to 200 elk on 38 acres utilizing three pastures will change the vegetative composition due to continuous utilization, soil compaction, and soil and vegetative disturbance during high moisture conditions. Even with irrigation and fertilization, plant vigor likely would decrease under a year-round grazing regime, resulting over time in decreasing forage availability, reduced ground cover, increased soil erosion, and invasion of noxious weeds. Vegetative condition will be dependent on stocking rate in the pastures.

Impacts to Wildlife Resources

The Proposed Action would not result in a significant loss of habitat for big game species or block movement patterns of big game animals because of the limited size of the enclosures. The 38-acre enclosure may alter local movement of some individual wild deer or transitory elk. In addition, the area is already intensively grazed by cattle and offers little habitat value for big game animals. No impacts to aquatic systems in the area are expected because any surface water that leaves the site enters a small drainage with a series of ponds prior to entering the Stillwater River. Bald eagles winter along the Stillwater River, but no eagle nests are known in the vicinity of the proposed game farm. Peregrine falcons may cross this area during periods of migration.

Impacts from Noise

A minor short-term increase in existing noise levels may occur from fence construction, land clearing, and other activities conducted to develop the game farm. There would be no exposure of people to nuisance noise levels.

Impacts to Land Use

The proposed game farm would be consistent with existing land uses.

Risk/Health Hazard Impacts

Spread of a contagious wildlife disease may directly or indirectly (depending upon nature of the disease) affect the human environment by reducing the number of wild deer and elk available for hunting and viewing or exposing hunters to diseases that are contagious to humans as well.

Community Impacts

As a result of the distance to the nearest community, no adverse impacts to the community are expected from the proposed game farm. No employees would be hired as a result of the Proposed Action. While the Proposed Action may increase the income level for the applicant and increase taxes paid to the county, these increases would be relatively minor with respect to the community.

Impacts to Public Services and Taxes

Approval of a license would require supervision by FWP and DoL personnel including fence and animal inspections and monitoring. For the proposed game farm size, however, the increased work load is expected to be minor.

Impacts to Aesthetics/Recreation

No adverse impacts to the public view, character of the neighborhood, or recreational opportunities in the area would result from the Proposed Action.

Impacts to Cultural/Historical Resources

No cultural resources for the proposed game farm property are currently on file with the State Historical Preservation Office (SHPO).

REQUIRED STIPULATION MEASURES

The following stipulation is designed to mitigate significant impacts identified in the EA to below the level of significance:

> *Report ingress of any wild game animals and predators (i.e., bear, lion, and coyote) as well as egress of domestic elk to the Montana FWP immediately. The report must contain the probable reason why or how ingress/egress occurred.*

The above stipulation is imposed to mitigate potentially significant risk to wildlife health posed by the proposed game farm. Risk to wildlife health from contact between game farm animals and wild game is potentially significant due to the following factors:

- the site would be located in an area currently utilized by wild game;
- fencing would cross hilly terrain, increasing the risk of wild deer jumping the fence; and
- corrosion of steel fence posts and frost-heaving in this area can compromise fence integrity.

Information required by the stipulation in the event of ingress or egress will help both the applicant and FWP to address ingress/egress and to minimize contact between wild and domestic animals. This stipulation, in addition to existing FWP fencing and wildlife protection requirements, would effectively reduce the risk to wildlife to below significant levels.

RECOMMENDED MITIGATION MEASURES

The following mitigation measures address minor impacts identified in the EA that are likely to result from the Proposed Action.

- Use coated steel or wood fence posts, coated bottom wire, and sulfate-resistant concrete when constructing perimeter fence structures.
- Maintain a reasonable stocking rate in the proposed game farm enclosure. A "reasonable stocking rate" is defined as the density of animals appropriate to maintain vegetative cover in pasture conditions that minimizes soil erosion from major precipitation events and snowmelt.
- Minimize stock traffic in saturated soil areas during the spring when groundwater and surface water are highest. Other water quality impacts could be minimized by moving dead animals and excess fecal material to an approved site that is more isolated from surface water and groundwater.

- Control surface water runoff discharges to the nearby pond by employing best management practices (BMPs) along the fence line where surface water runoff could directly enter the pond and associated drainage. The BMPs may include earth berms, straw bale dikes, vegetative buffer zones, and/or silt fences.

- Exclude all of the spring/seep area in the northeast corner of the west pasture from the proposed game farm enclosure.

- Establish a rest-rotation grazing system within the 38-acre game farm area as elk numbers increase to optimize vegetative productivity and minimize soil and vegetative degradation.

- Feed only hay produced on site, or certified weed-seed-free hay or pellets.

- Maintain vegetative productivity by farming portions of the pastures over time.

- Store hay, feed, and salt away from exterior fences or enclose in appropriate containers or buildings.

- Feed game farm animals at interior portions of the enclosure and not along the perimeter fence.

- Carcasses of animals buried on the game farm must be covered with a minimum of 2 feet of soil. They may also be sent to a licensed municipal landfill if approved by the landfill operator. Carcasses can not be disposed of in water bodies, roads, or ditches.

- Inspect the exterior game farm fence on a regular basis and immediately after events likely to damage the fence to ensure its integrity with respect to trees, frost-heaving, corrosion, burrowing animals, predators, and other game animals.

- If fence integrity or ingress/egress becomes a problem, adjust fence as necessary, including double fencing, increasing post support, replacing damaged posts, or raising fence height.

- During winters of exceptional snow cover, remove snow on either side of the enclosure fence to prevent ingress/egress.

- Risk of disease epidemic or heavy parasite infections among domestic elk can be minimized by maintaining a reasonable domestic elk stocking rate in relation to the enclosure size, and management of manure in accordance with Montana Department of Environmental Quality (DEQ 1996) guidance (Guide to Animal Waste Management and Water Quality Protection in Montana).

- Stop work in the area of any observed archeological artifact. Report discovery of historical objects to Montana Historical Society; Historic Preservation Office (406) 444-7715. If work stoppage in the area containing observed artifacts is not possible, record the location and position of each object, take pictures and preserve the artifact(s).

SUMMARY OF PUBLIC COMMENTS AND FWP RESPONSES

Public comments for the BCD Game Farm Draft EA were accepted from September 4 through September 25, 1997. Two letters and one phone call were received by FWP during the public comment period. The phone call was supportive of the proposal. Substantive comments and questions are reproduced below with FWP responses. Public comments are considered substantive if they relate to inadequacies or inaccuracies in the analysis or methodologies used in the Draft EA, or identify new impacts or recommend reasonable new alternatives or mitigation measures, or involve disagreements or interpretations of impact significance. Comments which express personal preferences or opinions on the proposal rather than on the evaluation itself are included but are not specifically addressed.

LETTER NO.1

Issue #1: It appears there may be wetlands and other aquatic resources within the proposed game farm area; any discharge of dredged or fill material into wetlands or any existing surface water located in the area would require prior notification to the U.S. Army Corps of Engineers (COE).

Response: As stated in the Draft EA and this Final EA, no impacts to aquatic systems in the area are expected because any surface water that leaves the site enters a small drainage with a series of ponds prior to entering the Stillwater River. One mitigation measure recommended in this Final EA is to exclude all of the spring/seep area in the northeast corner of the west pasture from the proposed game farm enclosure. If discharge of dredged or fill material into wetlands or existing surface water is considered, the applicant must notify the COE prior to the activity.

LETTER NO. 2

Issue #1: Elk farming is a serious disease, parasite, and social problem.

Response: Game farm operators must comply with fencing standards outlined in ARM 12.6.1503A (or receive a waiver from FWP) and maintain fencing in a game-proof condition at all times to prevent animals from escaping from or entering the game farm premises. Prior to importation into Montana, game farm animals must be examined by an accredited veterinarian and test negative for tuberculosis, brucellosis, and other diseases and must test negative for red deer hybridization (ARM 12.6.1515).

Issue #2: Elk farming poses a threat to our tradition of public hunting. It commercializes and privatizes a public owned resource and invites poaching and illegal killing and capture of native elk.

Response: Comment noted.

Issue #3: Montana's native wildlife co-evolved with the terrain, vegetation, water and climate. Escape of diseased, hybridized animals will disrupt the natural balance that support our native game animals.

Response: The applicant proposes to operate the BCD game farm in compliance with Montana FWP and DoL regulations. See response to Issue #1 of this letter above.

Issue #4: The sheer scale of the game farming business, the poor husbandry, the illegal traffic in game animals, the poor enforcement of regulations and the powerful political lobbies supporting it, will make law breaking and disease spread inevitable.

Response: The Proposed Action does not include large scale game farming, the use of poor animal husbandry, or illegal activities.

Issue #5: Game farming is a business so destructive in the Montana context, that it should not be permitted.

Response: Comment noted.

CONCLUSION OF THE EA

The Draft EA, as modified herein, is approved as the Final EA. The preferred alternative is the Proposed Action, modified with one stipulation requiring immediate reporting of ingress/egress events. Based upon this review, it is determined that the Proposed Action with the required mitigation measure would not have a significant impact on the environment and that an EIS will not be required.

ANALYSIS OF IMPACT ON PRIVATE PROPERTY

Montana game farm statues (87-4-476, MCA) require that game farm licenses may be denied or issued with stipulations to prevent unacceptable threat of escape of captive game farm animals and to prevent a significant safety threat to the general public and surrounding landowners and by the shooting of game farm animals. MEPA requires FWP to identify and analyze environmental impacts of the Proposed Action and potential mitigation measures. MEPA, as revised by Senate Bill 231 of 1995, also requires agencies to evaluate the impact on private property of regulatory actions, such as denial of a permit or establishment of permit conditions (75-1-201, MCA). The Environmental Quality Council (EQC) has established procedural guidelines to implement these requirements. The analysis provided in the Draft EA was prepared in accordance with implementation guidance issued by the EQC.

In addition, the Private Property Assessment Act (2-10-101, MCA, et seq.) requires agencies to determine whether proposed actions by the State of Montana have "taking or damaging implications", such as to constitute a deprivation of private property in violation of the United States or Montana constitutions and, if so, to perform an impact assessment to determine the likelihood that a state or federal court would hold that the action is a taking or damaging, to review alternatives, and to determine the estimated cost of compensation. In accordance with the Act, the attorney general has prepared guidelines, including a checklist, to assist agencies in identifying and evaluating actions with taking or damaging implications.

The Draft EA contains FWP's completed checklist with respect to the stipulation recommended in the preferred alternative and has found that the preferred alternative does not have taking or damaging implications and that an impact assessment is not required.

PERSONS RESPONSIBLE FOR PREPARING THE EA AND RESPONSE TO COMMENTS

Fish, Wildlife and Parks

Brian Sommers, FWP Region 1 Game Warden
490 N. Meridian
Kalispell, Montana 59901
(406) 752-8818

Tim Thier, Wildlife Biologist
PO Box 507
Trego, Montana 59934
(406) 882-4697

Noemi Barta, MEPA Coordinator
490 N. Meridian
Kalispell, Montana 59901
(406) 751-4579

Karen Zackheim, FWP Game Farm Coordinator
P.O. Box 200701
Helena, Montana 59620

Maxim Technologies

Doug Rogness, Project Manager & Hydrologist
Alice Stanley, MEPA Specialist
Mike Cormier, Soil Scientist
Sally Staley, GIS and Graphics

Other

Craig Knowles, Wildlife Biologist, FaunaWest Wildlife Consultants
Candace Durran, Vegetation Specialist

APPENDIX A

COMMENTS RECEIVED BY FWP DURING THE PUBLIC COMMENT PERIOD

APPENDIX A

COMMENTS RECEIVED BY FWP DURING THE PUBLIC COMMENT PERIOD

Joe Gutkoski, President
Gallatin Wildlife Association
304 North 18th Avenue
Bozeman, MT 59715
(406)587-3242

9-7-97

Brian Sommers
MT. St. F W & P
Game Warden

Dear Brian,

Under the guise of alternative agriculture, elk farming is a serious disease, parasite, genetic and social problem. It domesticates the wild elk for profit through hideous deantlering of bull elk in the velvet for purposes that are despicably frivolous and panders to our base instincts. It profits the obscene, insatiable, oriental market and encourages the consumption of superstitious medicines. It expands the demands for these foolish nostoms and is a costly malaise that has no redeeming value.

Wildlife parts, which serve as medication, if prescribed in Montana, would lead to accusations of quackery and loss of license to practice medicine. We should not endorse this bestial cruelty to fatten the profit of prostitution in the Orient. The end product is the extinction of wildlife.

Elk farming poses a threat to our tradition of public hunting. It commercializes and privatizes a public owned resource and invites poaching and illegal killing and capture of native elk. It trivializes wildlife and promotes the artificialization of hunting by the use of a shooter bulls killed inside enclosures.

Montana's native wildlife co-evolved with the terrain, vegetation, water and climate. Escape of diseased, hybridized animals will disrupt the natural balance that support our native game animals.

Montana's wildlife has an annual five billion dollar value. Do we wish to destroy this public asset and trade it off for the paltry income of game farms? Networks of fenced pastures filled with penned wildlife that were free roaming only a generation ago diminishes all of us.

The sheer scale of the game farming business, the poor husbandry, the illegal traffic in game animals, the poor enforcement of regulations and the powerful political lobbies supporting it, will make law breaking and disease spread inevitable.

Game farming is a business so destructive in the Montana context, that it should not be permitted. Even Wyoming has prohibited game farming.

Sincerely,

Joe Gutkoski

DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
215 NORTH 17TH STREET
OMAHA, NEBRASKA 68102-4978

NB
9/25

September 24, 1997

REPLY TO
ATTENTION OF

U.S. Army Corps of Engineers
Federal Building, 301 South Park
Room 283, Drawer #10014
Helena, Montana 59626

Dan Vincent, Regional Supervisor
Region One - Montana Fish, Wildlife & Parks
490 North Meridian Road
Kalispell, Montana 59901

Dear Mr. Vincent:

This letter is in reference to the Environmental Assessment (EA) for the proposed BCD Land & Livestock Elk Game Farm to be located northwest of Kalispell, Montana.

Based upon a review of the EA and a "windshield survey" conducted on September 22, 1997, it appears there may be wetland and other aquatic resources within the proposed management area. Our office would appreciate notification if any of the proposed developments would involve a discharge of dredged or fill material into wetlands or any existing surface waters located in the area.

Thank you for the opportunity to comments on the EA.

Sincerely,

doug mcdonald
Doug McDonald
Helena Regulatory Office